

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM L.E. DUSSAULT, Guardian ad
item for J.B., a minor; TIMOTHY and
ESTHER BUCKMAN, wife and husband and
parents of J.B.,

Plaintiffs,

v.

PENINSULA WOMEN'S CLINIC, P.L.L.C., a
Washington Corporation; ROBERT H.
PALMER, JR., M.D.; DEBORAH G. BOPP,
R.N., C.N.M., A.R.N.P.; CLALLAM
COUNTY PHD #2 d/b/a OLYMPIC
MEDICAL CENTER; CATHY L. REGISTER,
R.N.; and Unknown John and Jane Does,

Defendant.

Case No. C06-5297RJB

ORDER DENYING PLAINTIFFS' MOTION
FOR CLARIFICATION

This matter comes before the court on Plaintiffs' Motion for Clarification (Dkt. 58). The court has considered the motion and documents filed in support of and in opposition thereto and the file. For the reasons stated herein, the motion should be denied.

This motion appears to be more a motion for reconsideration than a motion for clarification. The court's Order Denying Petitioner's Motion to Temporarily Seal File and Deem Confidential Certain Pleadings Until Conclusion of Litigation (Dkt. 54) does not require clarification.

1 While the court is aware that pursuant to Federal Rule of Civil Procedure 17(c), the court may
2 “make such other order as it deems proper for the protection of the infant or incompetent person,”
3 the court is not satisfied, on the showing made, that there is justification to withhold a guardian ad
4 litem settlement report from other parties that remain in the case.

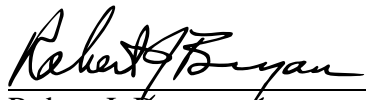
5 The court is also mindful that under Western District of Washington Local Civil Rules, and
6 under Washington law, a “compelling interest test” is used. No sufficiently compelling interest
7 justifying sealing of the file from other parties to the case has been shown here. *See* Western District
8 of Washington Local Civil Rule 5(g)(1) and *Seattle Times Co. v. Ishikawa*, 97 Wn.2d 30 (1982);
9 *Dreiling v. Jain*, 151 Wn.2d 900 (2004); *Rufer v. Abbot Labs*, 154 Wn.2d 530 (2005); & *Woo v.*
10 *Fireman’s Fund Insurance Co.*, 2007 WL 641827 (Wash. App., Div. I, Mar. 5 2007).

11 Therefore it is now

12 ORDERED that Plaintiffs’ Motion for Clarification is **DENIED**.

13 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of
14 record via the CM/ECF system and to any party appearing *pro se* at said party’s last known address
15 via the U.S. Mail.

16 DATED this 16th day of March, 2007.

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18 Robert J. Bryan
19 United States District Judge
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